

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

KURTIS MONSCHKE,

Petitioner,

v.

JAMES N. CROSS and ELDON VAIL,

Respondents.

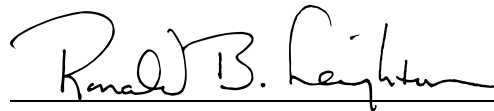
No. C11-5276 RBL/KLS

ORDER ADOPTING REPORT AND
RECOMMENDATION

The Court, having reviewed the petition for writ of habeas corpus, the response, the Report and Recommendation of Magistrate Judge Karen L. Strombom, Objections to the Report and Recommendation [Dkt. #s 38, 41], and the responses [Dkt. #42, 43], and the remaining record, does hereby find and **ORDER:**

- (1) The Court adopts the Report and Recommendation.
- (2) The petition for writ of habeas corpus (ECF No. 7) is **Denied and Dismissed with prejudice.**
- (3) The plaintiff is not entitled to a Certificate of Appealability with respect to this petition.
- (4) The Clerk is directed to send copies of this Order to Petitioner, counsel for Respondent and to the Hon. Karen L. Strombom.

DATED this 6th day of September, 2012.



Ronald B. Leighton
United States District Judge